



State of New Hampshire

PUBLIC EMPLOYEE LABOR RELATIONS BOARD

INTERNATIONAL BROTHERHOOD OF POLICE
OFFICERS, LOCAL 464/NASHUA PATROLMEN'S
BENEVOLENT ASSOCIATION

Complainant

v.

BOARD OF POLICE COMMISSIONERS/CITY OF
NASHUA

Respondent

CASE NO. P-0711:2

DECISION NO. 90-45

APPEARANCES

Representing IBPO, Local 464/Nashua Patrolmen's Benevolent:

Matthew Buckley, Esq., Counsel

Representing Board of Police Commissioners/City of Nashua:

Mark J. Bennett, Esq., Counsel
Judy T. Constantian, Esq., Counsel

Also appearing:

Zita Lamb
Daniel Donahue
Gary Watson
Douglas Sparks
William Keaney
Robert Henderson
Ronald Scaccio
Clif Largy
Tony Maffee
Ray Landry

BACKGROUND

On September 11, 1987, Local 464 of the I.B.P.O. filed an unfair labor practice charge against the Nashua Police Commission alleging that officer Zita Lamb of the Nashua Police Department had been relieved of duty in violation of Article 5 paragraph 3 of the collective bargaining agreement between Local 464 of the I.B.P.O. and the City of Nashua. Local 464 further charged that officer Lamb had been relieved of duty without just cause. The just cause provision is contained in Article 7, paragraph 3 of the C.B.A.

This case had been the subject of many motions, memoranda and reschedulings prior to being heard before this board. Members of the P.E.L.R.B. had met with the parties in Nashua on two occasions with an attempt to resolve the issue prior to going to a full hearing. All these efforts were unsuccessful and the case was finally scheduled to be heard on May 15, 1990 at the P.E.L.R.B. office in Concord, New Hampshire.

All parties for the hearing were present and upon opening the hearing the counsel for the parties requested leave of the Board to temporarily recess as it appeared there might be a possibility of settlement prior to full hearing in this matter.

P.E.L.R.B. after granting the parties request for a temporary recess in the proceedings reconvened, the parties submitted a mutually agreed to motion in writing requesting dismissal of the case as the parties had settled.

ORDER

Based upon counsel for both parties, mutual request the case be dismissed. It is the order of the Board that the case is hereby DISMISSED.

Signed this 6th day of June, 1990.


EDWARD J. HASELTINE
Chairman

By unanimous vote. Chairman Edward J. Haseltine presiding. Members Richard E. Molan, Esq., and Seymour Osman present and voting. Also present, Executive Director, Evelyn C. LeBrun.